

# JURIES ORDINANCE 1967

No. 17 of 1967

## An Ordinance to amend the *Juries Ordinance* 1962-1965

[Assented to 22 June, 1967]

**B**E it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the *Northern Territory (Administration) Act* 1910-1966, as follows:—

Short title  
and citation

1.—(1.) This Ordinance may be cited as the *Juries Ordinance* 1967.

(2.) The *Juries Ordinance* 1962-1965 is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Juries Ordinance* 1962-1967.

2. Sections 7 and 8 of the Principal Ordinance are repealed and the following sections are inserted in their stead:—

Juries in  
civil cases

“7.—(1.) The trial of a civil issue or a question of fact in a civil issue shall be by the Court without a jury unless the Court orders otherwise in accordance with this section.

“(2.) A party to a civil issue may make application to the Court for an order that the issue or a question of fact in the issue be tried by the Court with a jury.

“(3.) Whether or not such an application has been made, the Court may, if it appears just, order that a civil issue or a question of fact in a civil issue be tried by the Court with a jury.

“(4.) Where the Court so orders, the jury shall consist of four jurors chosen and returned in accordance with the provisions of this Ordinance.

Payment of  
jury fee in  
civil cases

“8.—(1.) Where the Court makes an order under sub-section (3.) of the last preceding section on the application of a party to a civil issue, that party shall pay to the sheriff the prescribed fee.

“(2.) The regulations may prescribe amounts to be paid in respect of the prescribed fee—

- (a) before the trial commences on the first day of the trial; and
- (b) before the trial resumes on each subsequent day of the trial.

“(3.) If an amount so prescribed is not paid before the trial commences or resumes on any day (as the case requires), the Court may, if it thinks fit, allow further time not exceeding one hour after the commencement or resumption of the trial within which the amount may be paid by any party to the trial.

“(4.) If the amount is not paid before the trial commences or resumes on any day (as the case requires) or, if the Court allows further time, within the further time so allowed, the Court shall, if a jury has been sworn and empanelled, discharge the jury and the trial shall proceed without a jury, notwithstanding that the trial may have commenced with a jury.

“(5.) The Court may order that the amount of the prescribed fee paid by any party to a trial shall be costs in the cause.”.

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